

8/30/02

CENTER FOR DIAGNOSTIC IMAGING

ST. LOUIS PARK	612.541.1840	COON RAPIDS	612.433.2000
MENDOTA HEIGHTS	651.455.5500	WOODBURY	651.735.1840
WAITE PARK	320.251.0609	ST. CLOUD	320.529.4749

REFERRING PHYSICIAN: JOHN C. KAGAN, M.D., @

PATIENT NAME: FOX, MICHAEL T.

ID#: 364-74-2461

HOME PHONE: (239) 731-5367

SEX: M

DOB: 12/26/58

SS#: 364742461

EXAM DATE: 08/19/02

ACCT#: 1122093

TYPE OF EXAM: MRI OF THE LEFT KNEE

CLINICAL INFORMATION: 43-year-old male with left knee pain since twisting injury on 8/3/02 and reinjury on 8/8/02. There is no history of surgery.

TECHNICAL INFORMATION: 5 mm proton density and T2-weighted sagittal, coronal and transverse images were obtained, in addition to 5 mm coronal STIR images.

INTERPRETATION:

KNEE JOINT: There is minimal pathologic effusion, and there is minimal popliteal cyst.

There is no demonstration of discrete loose bodies.

OSSEOUS STRUCTURES: Moderate to marked marginal osteophyte formation is noted involving the medial compartment, with slight to mild marginal osteophyte formation involving the lateral compartment. There is no occult osseous injury or osteonecrosis.

LIGAMENTS: The anterior cruciate ligament is intact. However, there is marked attenuation involving the posterior cruciate ligament, consistent with residua of old, complete tear and atrophy. The findings do not appear to represent acute injury.

Medial and lateral collateral ligaments are normal, without sprain or tear.

POSTEROLATERAL CORNER: Remainder of soft tissues of the posterolateral corner are intact and unremarkable. Specifically, the popliteus muscle/tendon, iliotibial band and arcuate complex are intact.

EXTENSOR MECHANISM: The extensor mechanism is intact and normal. Specifically, the patellar and quadriceps tendons are normal, without tendinopathy or tear. Medial and lateral retinacula are unremarkable.

MEDIAL COMPARTMENT: Slight to mild degeneration is noted involving the medial meniscus, although without convincing demonstration of articular surface tear. There is no displacement.

A broad-based area of irregular Grade II to Grade III chondromalacia and thinning is seen involving articular cartilage of

FLW
JSN
Exhibit 1-A

the central weight-bearing portion of the medial femoral condyle, as well as involving the anterior aspect of the medial tibial plateau.

LATERAL COMPARTMENT: The lateral meniscus is intact, without tear, separation or displacement.

Articular cartilage of the lateral joint compartment is intact, without chondral or osteochondral fracture or defect.

There is no convincing demonstration of findings of the clinical diagnosis of iliotibial band friction syndrome.

PATELLOFEMORAL JOINT: Irregular Grade II to Grade III chondromalacia is seen involving articular cartilage of the central to medial aspects of the femoral trochlea of the patellofemoral joint. Articular cartilage of the patella is intact.

CONCLUSION:

Abnormal MRI examination of the left knee, with specific findings as follows:

1. Findings in keeping with residua of old, complete tear and atrophy of the posterior cruciate ligament. There is no demonstration of other ligament derangement.
2. Moderate osteoarthritis involving the medial joint compartment.
3. Although there is mild degeneration involving the medial meniscus, there is no convincing demonstration of defined articular surface tear of medial or lateral menisci.
4. Moderate chondromalacia involving articular cartilage of the femoral trochlea.

HOLLIS M. FRITTS, M.D.
Medical Scanning Consultants, P.A.

HMF:NCSS/sa

dt: 08/19/02

[PATIENT NAME: FOX, MICHAEL T. EXAM DATE: 08/19/02]

Exhibit 1-B

Scot D. Goldberg, Esq.
Raymond Lee Racila, Esq.
Jerome A. Sico, Esq.
Michael M. Noone, Esq.

Laura L. Mancuso
Personal Injury Claims Analyst

• January 28, 2003 •

Mr. Michael Fox
4886 Guest Court
North Fort Myers, FL 33903

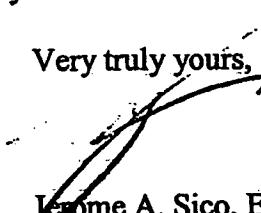
Re: Michael T. Fox vs. R.J. Vann Mechanical
D/A: 08/03/02 and 08/08/02

Dear Mr. Fox:

Please be advised that the attorney for the Employer/Carrier has scheduled your deposition to take place on **Friday February 21, 2003, at 1:00 p.m.** at the offices of Akerley Court Reporting, 2275 Main Street in downtown Fort Myers (call 334-7766 if you need directions). **YOUR ATTENDANCE AT THIS DEPOSITION IS MANDATORY; FAILURE TO ATTEND COULD RESULT IN THE JUDGE OF COMPENSATION CLAIMS DISMISSING YOUR CLAIM.**

We have scheduled you for a pre-deposition phone conference at **4:30 p.m. Thursday February 20, 2003.** It will be your responsibility to call my office at that time and speak with my paralegal, Marsha Bailey.

Very truly yours,


Jerome A. Sico, Esq.

JAS/dmb


Robert Branning

APRIL 7 1PM Medication

Edison Theatre Building • 1533 Hendry Street • Suite 100 • Fort Myers, Florida 33901 • Phone: (239) 461-5508 • Fax: (239) 461-3915
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Toll Free: 1-888-461-2919

Satellite Offices:

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Naples • P.O. Box 11646 • Naples, Florida 34101 • Phone: (239) 461-5523 • Fax: (239) 461-3915

Exhibit 2-A

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS**

<i>Employee's name,</i>)	
MIKE FOX)	
Claimant,)	
vs.)	OJCC Case No. _____ (Required for OJCC filing)
<i>Employer's name,</i>)	Judge Assigned: _____
R. J. VANN MECHANICAL CORP AND A)	Date of Accident: 08/08/2002
Employer/Carrier.)	

RESPONSE TO PETITION FOR BENEFIT

LOST TIME CASE X

MEDICAL BENEFITS CASE

RESPONSE TO EACH BENEFIT REQUESTED:
(List in numbered paragraphs. Use additional paper if necessary.)

Response to Petition for Benefits dated 1/6/03 rec'd 1/13/03

1. Carrier will be authorizing a complete knee replacement as recommended by Dr Kagan.
2. Costs, attorney fees, penalties, and interest not due or owing.

DENIAL OF BENEFIT WAS RESCINDED ON: _____

If the Denial of Lost Time Benefits is being rescinded, a DWC-4 form must be attached reflecting the initial indemnity start date, the disability type, and the average weekly wage and compensation rate.

ADJUSTER: Deborah Wade
TELEPHONE NO. 877-574-0540 3828

CARRIER'S CODE: W059000
CARRIER'S FILE NO. 60829087 X6
DATE PREPARED: 02/21/2003

CARRIER: TRANSCONTINENTAL INSURANCE CO
ADDRESS: PO Box 946550
Maitland, FL 32794-6550

COPY FURNISHED: Insured/Injured Worker/
ADDRESS: Michelle Leach Esq/Jerome
Sico Esq/DWC/File

NOTICE: If you do not agree with the employer/carrier's action or you do not understand why you received this information, please contact your adjuster. For further assistance, please contact the Employee Assistance and Ombudsman Office at (800) 342-1741.

OJCC Clerk's Office filing: Post Office Box 6350, Tallahassee, Florida 32314-6350

(850) 488-9675 Extension 190 * SUNCOM 278-9675

www.jcc.state.fl.us * E mail Ann_Cole@mail.state.fl.us


TIRE KINGDOM[®], INC.

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to the motor repair facility
misc, shop supply or waste disp

***** I N V O I C E *****

1995 PLYMOUTH MINIVA Grand Voyager
License: FL FL
Mileage: 123723
Lug Torque 95
Tire Infl F/R 35 35

Cert# MV-09569

Invoice# 65225957 - RI

POS SALES TK101
NORTH FT MYERS STORE
276 PONDELLA ROAD
239 997-4300

Order Num 28217281 - WI

Customer: 1106759

Page - 1

Mr Mike Fox

Opening Salesperson 02865130

19109 HARBOUR TREE CT

Date/Time In..... 03/19/03 15:35:33

FORT MYERS FL 33903

Date/Time Out..... 03/19/03 17:10:38

Home# 941-731-5367 Work#

Ship To:

Addl Repairs may be authorized by

VIN#

PO#:

Item Number	Item Description	Qty	Price Each	Extended
BCA	CHECK & ADVISE	1		
	BRAKES			
XPBR	WHEEL CYLINDERS WRKMNNSHP. & MATERIALS	2	54.99	109.98
	Re-Manu			
	00010387 BUCHANAN, ROY			
BCAA	BRAKE CLEAN & A	1	29.95	29.95
	00010387 BUCHANAN, ROY			
MASTERCARD	MasterCard/Visa 1			155.32-

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QUESTIONS OR CONCERNS, PLEASE CONTACT THE STORE
MANAGER @ (941) 997-4300 **NEW TIRE FEE FS:403.718

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS
BELOW, AND SIGN:

UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A
WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$100.
I REQUEST A WRITTEN ESTIMATE.

I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS
THE REPAIR COSTS DO NOT EXCEED \$_____.

THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT
MY WRITTEN OR ORAL APPROVAL.

I DO NOT REQUEST A WRITTEN ESTIMATE.

SIGNED _____ DATE / /

AUTHORIZE SERVICE TO BE PERFORMED, INCLUDING SUBLT WORK, PER THE TERMS
ND CONDITIONS ON THE REVERSE "CUSTOMER COPY" OF THIS FORM. TIRE KINGDOM
USES BOTH FLAT RATE AND HOURLY RATE TO CALCULATE CHARGES.

DO DO NOT WANT MY OLD PARTS RETURNED

PROPOSED METHOD OF PAYMENT: CASH CHECK CREDIT CARD

WILL WILL NOT BE WAITING FOR MY VEHICLE

CHARGE REPRESENTS COST/PROFIT TO THE VEHICLE REPAIR FACILITY MISC, SHOP SUPPLY OR WASTE DISP.

Exhibit 3-CC

Total Charges..	139.93
Total Credits..	.00
Sub-Total.....	139.93
New Tire Fees**	.00
Shop Fees(*)	6.59
All Taxes.....	8.80
Payments.....	155.32-
Net Amount.....	.00

PLEASE PAY ABOVE AMOUNT.

THANK YOU! Closer:02865130

CUSTOMER COPY



Athletic Orthopedics and Reconstructive Center

John C. Kagan, M.D. • Michael M. Jugan, D.O.
Pedro E. Monserrate, M.D. • Peter J. Curcione, D.O.
Edward T. Humbert, D.O. • Allen C. Tafel, M.D.

July 21, 2003

Michael Fox
3726 Whidbey Way
Naples, Florida 34119

Dear Michael:

I received a message that your attorney was wondering if your problems in the right knee would be related to your left knee work accident.

At this point in time, I would not relate any problems in your right knee to the problems in your left knee. I am frequently asked whether a problem in the left knee can cause significant problems in the right knee but, over a reasonably short period of time, the answer to that question is no.

I hope all is well for you.

Sincerely,

John C. Kagan, M.D.
JCK/kn

Board Certified

2745 Swamp Cabbage Court • Suite 305 • Fort Myers, Florida 33901 • 239/936-6778 • Fax 239/936-4920
2721 Del Prado Boulevard • Suite 250 • Cape Coral, Florida 33904 • 239/574-0011 • Fax 239/574-4020
3616 Broadway • Fort Myers, Florida 33901 • 239/939-0117 • Fax 239/939-3376
1415 Homestead Road N. • Lehigh Acres, Florida 33936 • 239/368-8277 • Fax 239/368-8276

Exhibit 4-A

Scot D. Goldberg, Esq.
Raymond Lee Racila, Esq.
Jerome A. Sico, Esq.
Michael M. Noone, Esq.
Robert J. Branning, Esq.

Laura L. Mancuso
Personal Injury Claims Analyst

November 17, 2003

*PARALEGAL
TINA NOEL*

Mr. Michael Thomas Fox
P.O. Box 111621
Naples, FL 34108

Re: Michael T. Fox vs. R.J. Vann Mechanical
D/A: 08/03/02 and 08/08/02

Dear Mr. Fox:

Please be advised that the attorney for the Employer/Carrier has scheduled your deposition to take place on **Tuesday, December 2, 2003**, at **9:00 a.m.** at the offices of Akerley Reporting, 2275 Main Street, in downtown Fort Myers (call 334-7766 if you need directions). YOUR ATTENDANCE AT THIS DEPOSITION IS MANDATORY; FAILURE TO ATTEND COULD RESULT IN THE JUDGE OF COMPENSATION CLAIMS DISMISSING YOUR CLAIM. Please plan to meet with me at my office at 8:30 a.m.

Sincerely,



Robert J. Branning, Esq.

RJB/ckk

Edison Theatre Building • 1533 Hendry Street • Suite 100 • Fort Myers, Florida 33901 • Phone: (239) 461-5508 • Fax: (239) 461-3915
P. O. Box 190 • Fort Myers, Florida 33902
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Naples • P.O. Box 11646 • Naples, Florida 34101 • Phone: (239) 461-5523 • Fax: (239) 461-3915

Exhibit 4-AA

PO Box 946550
Maitland, FL 32794-6550

August 27, 2003

Amy Jo Barnett
Claim Specialist
Commercial Insurance
Telephone 407-919-3828
877-574-0540, Ext. 3828
Facsimile 407-919-3850
Internet amy.barnett@cna.com

MICHAEL FOX
PO BOX 111621
NAPLES FL 34108

Claim Number: 60838262 X6 8888

State WC No:

Policyholder: R J VANN MECHANICAL CORP AND A

Underwriting Co: TRANSCONTINENTAL INSURANCE CO

Injured Worker: MICHAEL FOX

Date of Loss: 08/15/2003

Dear MR FOX

We have made arrangements for you to be examined by:

Doctor: LAWRENCE BLACK
Address: 13691 METRO PKWY #350
Address 2: FT MYERS FL 33912
Telephone Number: 239-768-5313
Date: 09/08/2003 Time: 1:30

You should bring with you any and all x-rays and/or other test results that have been taken due to your injury. If you have had similar injuries in the past, it would be helpful if you can obtain those x-rays and/or test results.

We wish to thank you, in advance, for keeping this appointment as scheduled. If some emergency arises and you are unable to keep this appointment please contact the doctor and this office at once.

Please use our claim number when corresponding with our office.

Thank you,

Amy Jo Barnett

WA0204L1

Exhibit 5-A

◆ GOLDBERG, RACILA, SICO & NOONE, LLC ◆
ATTORNEYS AT LAW

Scot D. Goldberg, Esq.
Raymond Lee Racila, Esq.
Jerome A. Sico, Esq.
Michael M. Noone, Esq.
Robert J. Branning, Esq.

Laura L. Mancuso
Personal Injury Claims Analyst

November 17, 2003

PARALEGAL
Tina Noe

Mr. Michael Thomas Fox
P.O. Box 111621
Naples, FL 34108

Re: Michael T. Fox vs. R.J. Vann Mechanical
D/A: 08/03/02 and 08/08/02

Dear Mr. Fox:

Please be advised that a Mediation has been scheduled in the above-captioned matter for **Thursday, December 11, 2003 at 3:00 p.m.** The Mediation will be held before Mediator Michael D'Agostino at the offices of Corporate Quarters, 13180 N. Cleveland Avenue in North Fort Myers (telephone number 997-2525 if you need directions). Please plan to meet with me here at my office at **2:15 p.m. on Thursday** for a pre-mediation conference.

YOUR ATTENDANCE AT THIS MEDIATION IS MANDATORY; FAILURE TO APPEAR COULD RESULT IN THE JUDGE OF COMPENSATION CLAIMS DISMISSING YOUR CLAIM.

Thank you for your cooperation.

Sincerely,


Robert J. Branning, Esq.

RJB/ckk

Exhibit 5-AA

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Naples • P.O. Box 11646 • Naples, Florida 34101 • Phone: (239) 461-5523 • Fax: (239) 461-3915

Name Michael Fox

PROGRESS NOTES

Case No. _____

Page _____ of _____

Insurance

WC Claim # 608-38-262

Age 44

Sex M

S M LTP W D

Occupation

Plumber

Date

Subsequent Findings and Notes

Therapies/Procedures
Performed.

Fees

7 Michael Fox

140

130

✓ 9-8-03

September 8, 2003

Michael Fox is a 44-year-old male that I have been asked to see in consultation for Workman's Compensation. He was lifting a saw at his job as a plumber at the new high school down in Naples. He jerked the saw, tipped over a steel stud on the floor and felt a pain in his left groin. He was evaluated at Lee Convenient Care. They did not feel a hernia but they thought that it looked a little swollen and therefore they thought that he should have an evaluation by a surgeon. Since that time, three weeks ago, he has continued to have discomfort in the groin.

ALLERGIES: NKDA

MEDICATIONS: None

PSH: He had a double hernia as a one year old. In 1984 he had a right testicular carcinoma. He has had knee surgery and he has had his spleen removed from an auto accident in 1976.

PMH: Testicular cancer

SH: He is single, a nonsmoker and nondrinker. He drinks ten to twenty beers a year.

FH: Heart disease

PE: This is a 44-year-old male in no obvious distress.

The neck is supple and nontender, without lymphadenopathy or thyromegaly.

The lungs are clear bilaterally.

The heart is regular and without murmur.

The groin examination reveals an asymmetry from left to right but this is due to the previous surgery on the right as there is a lot of scar tissue from the radical orchectomy. The left side has more subcutaneous fatty tissue. With multiple Valsalva maneuvers, I am unable to detect any herniation. Historically the patient does not report any lumps in the groin. The left testicle is descended and non-nodular. The right testicle is absent.

ASSESSMENT: Left groin strain. I cannot detect a hernia at this examination.

PLAN: I informed the patient what a hernia usually looks like and how it acts. Should he see a lump in the groin he should call us however until then he should try some Advil and heat and I have advised him to go ahead and lift as it has been three weeks since the original injury. L. Black, D.O.Ka

Exhibit G-A

WY
LEE MEMORIAL HEALTH SYSTEM

Lee Memorial Hospital
Fort Myers, FL 33901

NAME: Fox, Michael T
DOB: 12/26/1958
SEX: M
AGE: 45
ROOM #:

MR#: 70-48-27
PT CLASS: O
CLINIC CODE: VAS
ADMIT DATE: 01/12/2004
DISCH DATE: 01/12/2004

ACCT#: 6083584
RPT:MT03

ATTENDING PHYSICIAN: Ajay Kalra, MD
ADMITTING PHYSICIAN: Ajay Kalra, MD

DATE OF PROCEDURE: January 12, 2004

SURGEON: Ajay Kalra, M.D.

PREOPERATIVE DIAGNOSIS: Left inguinal hernia

POSTOPERATIVE DIAGNOSIS: Left inguinal hernia

PROCEDURE PERFORMED: Left inguinal hernia repair with mesh

ANESTHESIA: General endotracheal anesthesia

INDICATIONS: The patient is a 45-year-old gentleman who noted a left bulge while being at work, associated with some tenderness. He now presents for repair.

DESCRIPTION OF PROCEDURE: The patient was taken to the operating room and placed in the supine position on the operating table. After adequate intravenous sedation and general endotracheal anesthesia, the patient's groin was prepped and draped in the usual sterile manner. Once draping was completed, an incision was made over the inguinal ligament. This was extended down to the deep subcutaneous tissues and the aponeurosis of the external oblique was visualized. The aponeurosis was then opened along its fibers. The cord structure that was noted to be highly adherent to the surrounding tissue was circumferentially freed and a Penrose drain was placed around them. Cremasteric muscles were incised and no evidence of indirect hernia was noted. A large amount of laxity was noted in the base of the inguinal canal with an obvious protrusion of preperitoneal fat. A diamond mesh was then passed to the table. The mesh was placed within the defect of the abdominal wall and secured. The keyhole portion of the mesh was then secured with the Versitek stapler to the pubic tubercle shelving edge of the inguinal ligament and transversalis fascia. The interrupted Prolene suture was then used to close the mesh around the cord structures. Hemostasis was observed. Closure of the aponeurosis was performed with a running 3-0 Vicryl suture. Additional 3-0 Vicryl was used to close the deep dermal layer. The wound was infiltrated with 0.25% Marcaine and a skin stapler was used to reapproximate the skin edges. All wounds were cleaned. Sterile dressings were applied. The patient tolerated the procedure without complications.

Electronically Affixed Signature

Distribution: Ajay Kalra, MD

Dictating Physician: Ajay Kalra, MD

Dictated:
Ajay Kalra, MD
Transcribed:
Printed:

Job #003808982 on 01/12/2004 10:20 A
Doc #1343511 by g31 on 01/12/2004 3:58 P
1/12/2004 4:05 PM

Operative Record
Page 1 of 1
PHYSICIAN COPY

Exhibit 6-AA

ANESTHESIA AND PAIN PHYSICIANS OF FLORIDA

PATIENT: FOX, MICHAEL

DATE: 06/17/04

PATIENT NO:

CONSULTATION NOTE

HISTORY: This is a 45-year-old obese gentleman who complains of pain in numerous locations, primarily his left groin. He also complains of some incidental low back pain which will often radiate into the bilateral hip and buttock areas and occasionally into the groin itself. He denies the groin pain radiating into the lower extremities. He denies the groin pain radiating into the testicles or genitals. He states that this groin pain began after a work related incident which occurred in August of 2003. He was picking up a saw which weighed approximately 30 pounds. Unfortunately, his "left knee buckled." He ultimately required left inguinal hernia repair in January 2004. He states that this did help his pain; however, it is "not completely gone." He denies being evaluated by a urologist. He has numerous other worker's compensation claims primarily involving his left knee as well as having experienced stab wound to the left groin in 1976 with a piece of wood. The patient injured his left knee on the job in August 2002; unfortunately, he "slipped on some pipes" as he came off a ladder. Ultimately, he required arthroscopy of the left knee. He states that he was told that he needed a knee replacement. Unfortunately, he states that this has "not been followed up secondary to worker's compensation bureaucratic reasons." The patient had a worker's compensation involvement in the State of Michigan in 1976 whereby he was working on a boat manufacturing plant; unfortunately, a piece of wood went flying and landed in his left groin. He states that that case is still active as well.

The patient has been living in Florida for the past couple years. He denies undergoing any imaging studies such as an MRI of the lumbar spine. He currently is living in Fort Myers. He states that he did not wish to pursue pain management options either in Naples or in Fort Myers. Thus, he came here in Bradenton.

He describes his pain as having sharp, shooting, throbbing, intermittent, penetrating, exhausting components. He also describes burning dysesthetic qualities. He rates his pain at a 6 on a scale of 0 to 10 on today's visit. He denies undergoing a trial of physical therapy, chiropractic or acupuncture treatments.

Exhibit 7-A

ANESTHESIA AND PAIN PHYSICIANS OF FLORIDA

PATIENT: FOX, MICHAEL

DATE: 06/17/04

PATIENT NO:

CONSULTATION NOTE

PAGE TWO

He does state the coughing and sneezing intensifies his pain. He denies sitting, standing or walking to be pain producing. He denies the use of a cane or a walker for assistance with ambulation. He does admit that leaning on a shopping cart does help decrease his pain. He denies any history of urinary or fecal incontinence associated with the pain. He does describe significant myofascial spasm and cramps which occur both during day time as well as nocturnal hours.

PAST MEDICAL HISTORY: Significant for chest pain. He denies being evaluated by a cardiologist for this. He has this intermittent in nature. He also has history of hiatal hernia. He has history of left testicular cancer. He underwent testicular excision. He did undergo radiation treatments. He denies undergoing chemotherapy. He states that he no longer has the cancer. He denies any history of hepatic, renal disease or diabetes. He does have history of arthritis, however.

PAST SURGICAL HISTORY: Double hernia repair as a child, splenectomy and pneumothorax secondary to motor vehicle accident in 1976, left testicular removal and hernia operation in 1984, left knee arthroscopy 2002, left inguinal hernia repair January 2004 as outlined above.

FAMILY HISTORY: Mother is living at age 81. Father died at age 57 of a myocardial infarction. Siblings are alive and healthy. He denies children.

REVIEW OF SYSTEMS: He does have chest pain as outlined above. Medical intake form reviewed, otherwise as outlined above, noncontributory.

CURRENT MEDICATIONS: None. Herbs - he denies.

ALLERGIES: No known drug allergies.

SOCIAL HISTORY: The patient denies tobacco. He admits to social consumption of alcohol. He last consumed marijuana and cocaine approximately eight years ago. He denies any history of IV drug abuse.

7-B Exhibit

ANESTHESIA AND PAIN PHYSICIANS OF FLORIDA

PATIENT: FOX, MICHAEL

DATE: 06/17/04

PATIENT NO:

CONSULTATION NOTE

PAGE THREE

PHYSICAL EXAMINATION:

GENERAL: The patient appears stated age, pleasant to talk with and a fairly good historian. No apparent distress. Right hand dominant. Alert and oriented times three.

VITAL SIGNS: Height 5'11". Weight 272 pounds. Blood pressure 132/86. Heart rate 72. Respirations 12.

MUSCULOSKELETAL: The patient is able to stand on toes as well as heels without any major difficulties. No signs of foot drop noted on today's visit. Lumbar range of motion is moderately limited in all directions. The patient finds none of these motions to be pain producing. Cervical range of motion is within normal limits in all directions. The patient finds none of these motions to be pain producing. The patient is overall nontender to palpation throughout the cervical, thoracic and lumbosacral spine. He has no specific tenderness to palpation over the sacroiliac joints bilaterally. He has no specific tenderness to palpation over the sciatic notch areas nor over the greater trochanteric bursa areas bilaterally.

NEUROLOGICAL: Motor examination in the upper and lower extremities is bilaterally symmetrical and intact throughout. There are no signs of atrophy, edema, or temperature changes noted on today's examination. Sensory examination in the upper and lower extremities is nonfocal and bilaterally symmetrical in nature. Reflexes are 2+ throughout the upper and lower extremities and are bilaterally symmetrical in nature. Peripheral pulses were easily palpated. No signs of regional lymphadenopathy are noted. No signs of spinal instability are noted. While the patient was lying in the supine position with his knees in the flexed position, sensory examination along the pelvis and general areas revealed slight amount of hypoesthesia appreciated along the distribution around his previous left inguinal herniorrhaphy site. His testicular sac sensory examination was nonfocal. There were no appreciable masses developing after Valsalva maneuver. There was no rebound tenderness per se.

IMPRESSION:

1. History of left groin pain.
2. History of testicular cancer.
3. Intermittent lumbar radiculitis.

7-C Exhibit

ANESTHESIA AND PAIN PHYSICIANS OF FLORIDA

PATIENT: FOX, MICHAEL

DATE: 06/17/04

PATIENT NO:

CONSULTATION NOTE

PAGE FOUR

4. Obesity.
5. Myofascial enthesopathy.

RECOMMENDATIONS: Utilizing medical illustrations and models, I discussed with the patient the anatomy, physiology and pathophysiological mechanisms which most likely explains his current pain presentation. I discussed with the patient in great length the logic behind the stepladder approach to pain management, as well as the multidisciplinary approach.

At this point in time, I do not feel that the patient is a candidate for any interventional therapies per se. In light of his previous history of testicular cancer, I do feel that combined with the fact that he has had left inguinal operations times three, I do feel that he should be evaluated by a urologist. The patient is currently living in the greater Fort Myers area. I explained to the patient that he could either see a urologist in the Bradenton/Sarasota area versus Fort Myers, etc., that is irrelevant to me. However, I feel that this would be important to help understand further the etiology of his left groin pain. I also discussed with the patient the rationale behind the fact that he has had total of three operations in that area, most likely he has a significant amount of scar tissue. Thus, any further surgical options most likely will not help decrease his pain significantly.

We discussed, utilizing medical illustrations and models briefly, the option of undergoing diagnostic interventional therapies to help sort out further etiologies of his pain; however, I do not feel this would be warranted until after he has been evaluated by a urologist.

With regard to his chest pain combined with the fact that his father died of a myocardial infarction, I made it clear to the patient that he needs to contact a primary care physician in order to have this better worked up. The patient states he understands the importance of this and hopefully will be compliant in that regard.

I gave the patient a copy of our ice treatment protocol, explaining how to properly utilize this to help reduce his pain. I encouraged the patient to be extremely aggressive with the use of ice in a therapeutic modality.

Exhibit 7-D

ANESTHESIA AND PAIN PHYSICIANS OF FLORIDA

PATIENT: FOX, MICHAEL

DATE: 06/17/04

PATIENT NO:

CONSULTATION NOTE

PAGE FIVE

We will see the patient for follow-up once he has been evaluated by a urologist and proceed accordingly. However, at this point in time, I do not feel any interventional therapies would be appropriate.

Richard A. Bundschu, M.D.

RICHARD BUNDSCHE, M.D.

D: 06/17/04
T: 06/17/04
JOB: 90973

DICTATED BUT NOT EDITED

Exhibit 7-E

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lfox449@hotmail.com

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From : michael fox <lfox449@hotmail.com>
Sent : Tuesday, January 24, 2006 5:24 PM
To : ana.sales@cna.com
Subject : —DOCTORS NEEDED—

HELLO----ANA SALES

I AM MICHAEL FOX

EMPLOYER---R J VANN MECHANICAL
WORKERS COMP CASES

I NEED DOCTORS FOR KNEE REPLACEMENT
I NEED UROLOGIST DOCTORS FOR HURIA
AND PAIN MANAGEMENT DOCTORS..
AS PRESCRIBE BY MOST RECENT DOCTORS SEEN....

IF YOU REMEMBER--- I HAVE 2 OPEN CASES...KNEE REPLACEMENT FROM AUGUST OF 2002
AND A HURNIA FROM 2003

I CALLED YOU ON THURSDAY JANUARY 19 2006 FOR A LIST OF DOCTORS IN THE CORPUS CHRISTI
TEXAS AREA..

I ASKED YOU TO SEND THESE LIST OF DOCTORS TO
MICHAEL FOX
GENERAL DELIVERY
4801 EVERHART ROAD
CORPUS CHRISTI TEXAS 78411
AND NOW YOU HAVE A PAPER COPY OF MY REQUEST, AS I HAVE A COPY ALSO...

I AM NEVER ABLE TO TALK TO YOU DIRECT
YOU NEVER ANSWER THE PHONE...
AND YOU NEVER RESPOND TO PHONE CALL MASSAGES EITHER..

MY ATTORNEY HAS BEEN DISMISSED FROM REREPRESENTING ME...
AS OF OCTOBER 3 2005
ORDER WAS ENTERED ..

I HAVE LEFT MY EMAIL ADDRESS SEVERAL TIMES ASKING YOU TO CONTACTED ME BY EMAIL AND YOU
HAVE NEVER...

AND I'M SURE YOU WILL IGNORE THIS EMAIL ALSO..

IF YOU WOULD, CONTACT ME BY EMAIL, AND TELL ME WHAT YOU ARE GOING TO DO...
I HAVE NO PHONE, AND THIS IS THE ONLY WAY I CAN BE CONTACTED.....

SINCERELY..
MICHAEL FOX

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<http://messenger.msn.click-url.com/go/onm00200471ave/direct/01/>

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From : Sales,Ana <Ana.Sales@cna.com>
Sent : Wednesday, January 25, 2006 10:18 AM
To : "michael fox" <lfox449@hotmail.com>
Subject : RE: -----DOCTORS NEEDED-----

[|](#) | [|](#) [|](#) [|](#) [Inbox](#)

Your adjuster has been Charles Bard

Ana Sales, CWC
Claims Specialist
Tel 407-919-4507
Fax 407-670-0203
CNA

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]
Sent: Tuesday, January 24, 2006 5:24 PM
To: Sales,Ana
Subject: -----DOCTORS NEEDED-----

HELLO----ANA SALES

I AM MICHAEL FOX

EMPLOYER---R J VANN MECHANICAL
WORKERS COMP CASES

I NEED DOCTORS FOR KNEE REPLACEMENT
I NEED UROLOGIST DOCTORS FOR HURIA
AND PAIN MANAGEMENT DOCTORS..
AS PRESCRIBE BY MOST RECENT DOCTORS SEEN....

IF YOU REMEMBER--- I HAVE 2 OPEN CASES...KNEE REPLACEMENT FROM AUGUST OF

2002
AND A HURNIA FROM 2003

I CALLED YOU ON THURSDAY JANUARY 19 2006 FOR A LIST OF DOCTORS IN THE
CORPIS
CHRISTI TEXAS AREA..

I ASKED YOU TO SEND THESE LIST OF DOCTORS TO
MICHAEL FOX
GENERAL DELIVERY
4801 EVERHART ROAD
CORPUS CHRISTI TEXAS 78411
AND NOW YOU HAVE A PAPER COPY OF MY REQUEST, AS I HAVE A COPY ALSO...

I AM NEVER ABLE TO TALK TO YOU DIRECT
YOU NEVER ANSWER THE PHONE...
AND YOU NEVER RESPOND TO PHONE CALL MASSAGES EITHER..

MY ATTORNEY HAS BEEN DISMISSED FROM RERESENTING ME...

Exhibit 9-A

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From : michael fox <lfox449@hotmail.com>
Sent : Wednesday, January 25, 2006 12:28 PM
To : charles.bard@cna.cpm
Subject : -----DOCTORS NEEDED-----

HELLO CHARLES BARD...

MY NAME IS MICHAEL FOX

I HAVE JUST BEEN EMAILED BY ANA SALES, THAT YOU ARE NOW IN CHARGE OF MY INJURY/MEDICAL CASES...

CAN YOU TELL ME THE DATE YOU WHERE ASSIGNED THE CASE.

I CURRENTLY HAVE 2 INJURY CLAIMS WITH CNA INSURANCE.

ONE IS FOR A KNEE REPLACEMENT
INJURY DATE IS 8-3-02 AND 8-8-02
KNEE REPLACEMENT ATHORIZED BY CNA FEB 19 2003
NO KNEE REPLACEMENT PREFORMED YET..

I ALSO HAVE A HURNIA CLAIM..
INJURY DATE 8-8-03

HAD OPERATION ON JAN 9 2004
HAVE HAD PROBLEMS EVER SINCE THE INJURY, AND
PROBLEMS SINCE THE SURGERY..

HAVE SEEN PAIN MANAGEMENT DOCTOR

HE HAS WRITTEN IN HIS REPORT, THAT I NEED TO SEE A UROLIGIST.
AND FURTHER PAIN MANAGEMENT ASSISTANCE..

I NO LONGER LIVE IN FLORIDA..

I AM CURRENTLY IN CORPUS CHRISTI TEXAS...

I NEED A LIST OF DOCTORS FOR THIS AREA
IN THE FEILDS OF ORTHOPEDICS FOR MY KNEE
A UROLIGIST DOCTOR FOR MY HURNIA
AND A PAIN MANAGEMENT DOCTOR...

PLEASE MAIL THE ABOVE TO

MICHAEL FOX
GENERAL DELIVERY
4801 EVERHART RD.
CORPUS CHRISTI TEXAS 78411

IF YOU WOULD...PLEASE.....
RESPOND TO THIS EMAIL, AND TELL ME WHAT YOUR RESPONSE IS..
AND THE DATE YOU WILL MAIL THE LIST OF DOCTORS..

I HAVE NO WAY TO BE CONTACTED BY PHONE...

Exhibit 10-A

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From : michael fox <lfox449@hotmail.com>
Sent : Thursday, February 2, 2006 2:09 AM
To : charles.bard@cna.com
Subject : —ANOTHER MAILING REGARDING MY DOCTORS

MR CHARLES BARD..

I SEE NOTHING HAS CHANGED ANY.
FROM DEALING WITH ANA SALES AND NOW YOU...

AND NOW I SEE THE SICO SICK GOVERNMENT THAT HAS BEEN ATTACKING ME FROM FLORIDA IS HERE IN CORPUS CHRISTI TEXAS...CNA POLICE FORCE I GUESS...DO'NT EVER FIGHT, OR THEY WILL DESTROY EVERYTHING YOU OWN...AND TAKE WHAT EVER THEY WANT....

THE EMAIL I MAILED YOU ON WEDNESDAY HAS BEEN DELETED OFF MY COMPUTER SOMEHOW..
I HAVE NO COPY OF IT..
AND IT WAS RETURNED FOR MY COPY...
THIS IS MY 3RD ATTEMPTED TONIGHT TO SEND YOU ANOTHER ONE, AN IT HAS FAILED EVERYTIME...

YOU FIGHT THE GOVERNMENT, YOU FIGHT THE INSURANCE COMPANY, AND THE LOWEST FORM OF LIFE THAT CRAWLS ON THE EARTH, COME AFTER YOU...

ANYWAYS....
BELOW IS A LIST OF DOCTORS I WANT YOU TO SET APPOINTMENTS FOR...

NEUROLOGY
DO EDWARD ESCOBAR
210 CARANCAHUA ST. #302
CORPUS CHRISTI TEXAS 78404
PH#361-880-6985

UROLOGY
JAMES F. MCCUTCHEON
613 ELIZABETH ST. #608
CORPUS CHRISTI TEXAS 78404
PH# 361-888-5318

PAIN MANAGEMENT
JOSE TREVINO JESUS
613 ELIZABETH ST. #805
CORPUS CHRISTI TEXAS 78404
PH# 512-883-1744

AND AGAIN CHARLES BARD...

THE LETTER I SENT YOU WEDNESDAY KINDA WENT LIKE THIS

I RE-READ YOU LETTER WEDNESDAY, THAT WAS ATTACHED TO MY LIST OF DOCTORS.
IN THE LAST PARAGRAPH, IT STATES
IN RESPONSE TO REQUEST FOR COMMUNICATION BY EMAIL, IT IS PREFERABLE THAT COMMUNICATION OF THIS NATURE BE IN WRITING FOR DOCUMENTATION PURPOSES. I APOLOGIZE FOR THE INCONVENIENCE.
THAT LAST SENTENCE IS A JOKE. ALONG WITH THE ENTIRE PARAGRAPH..

Exhibit 11-A

WHY NOW, WHEN ALWAYS IT WAS DONE BY PHONE.. OR LEFT MESSAGE ON ANSWERING SERVICE...NOW YOU WANT IT IN WRITING.. THIS IS ANOTHER TACTICAL MOVE BY CNA INSURANCE TO FURTHER CAUSE GRIEF...

I STATED THAT YOU CAN RUN A COPY OF THE EMAIL, AND THAT IS YOUR WRITTEN DOCUMENTATION...I ASKED YOU IF YOU WOULD ATTACH A COPY OF A LIST OF DOCTORS FOR MY KNEE TOO AN EMAIL, AND SEND IT TO ME...BECAUSE THIS IS MUCH FASTER...

I TOLD YOU THAT I HAVE HAD EXTREME PROBLEMS WITH THE MAIL SERVICE AND THIS IS MUCH FASTER, AND EASIER..

AND FURTHERMORE, I DO'NT HAVE TO HAVE YOU TELL ME, THAT YOU NEVER RECIEVED THE LETTERS..

AND HOW NOW COULD I EVER GET IN CONTACT WITH YOU,, YOU WILL NOT RESPOND TO EMAILS AND YOU DO'NT ANSWER THE PHONE...I'M IN A NO WIN SITUATION.. LITTLE HELP. JUST AN EMAIL...

I ALSO SAID I AM CURRENTLY LIVING IN MY VAN, AND THAT I HAVE NO ADDRESS, AND PHONE NUMBER, AND I HAVE TO KNOW WHEN YOU ARE MAILING ME MAIL, AND I ASKED YOU TO RESPOND WITH A EMAIL..I HAVE NEVER RECIEVED NOTHING, AND THIS IS THE FORTH EMAIL..

I ALSO SEE YOUR JUST LIKE ANA SALES, YOU NEVER ANSWER THE PHONE.. AND IT'S A STRUGGLE TO GET DOCTORS, AS YOU HAVE FAILED TO SUPPLY ME WITH A KNEE DOCTOR...

WHY DID YOU DO THIS..TO ADD FURTHER AGGRIVATION IN MY LIFE...CAUSE A SETTLEMENT... NOT GOING TO HAPPEN CHARLES BARD..

I ASKED YOU TO GIVE ME THE DATE THAT ANA SALES GAVE YOU THIS CASE..OR IT WAS ASSIGNED TO YOU... AND LETS HERE THE STORY BEHIND WHY THE CASE GOES FROM CASE WORKER TO CASEWORKER.. ANOTHER MOVE MY CNA INSURANCE...TAKE A SETTLEMENT, OR ELSE WHERE GOING TO DRAG EVERYTHING OUT...I THINK THATS THE WAY THE GOVERMENT OPPERATES, WHEN YOU FIGHT THEM..

I CAN TELL YOU THIS MUCH MR CHARLES BARD..

I WILL PUT PEOPLE IN JAIL, FOR THESE CRIMES AGANIST ME..OR I'M SURE GOING TO TRY.. AND IF I CAN EVER GET A DAY IN COURT, YOU CAN BET A JURY AWARD WOULD BE IN THE EXCESS OF 100 MILLION DOLLARS...

PRINT THIS EMAIL, AND LIKE I TOLD ANA SALES WHEN I SENT HERE THE CERTIFIED LETTER. WITH ALL MY LETTERS IN IT, GIVE IT TO YOUR BOSS AND THE UPPER MANAGEMENT...LET THEM READ IT..

DO YOU THINK I'M A LITTLE PISSED OFF RIGHT NOW CHARLES BARD...
YOU HAVE NO IDEA....

THANKS FOR NOTHING...
MICHAEL FOX

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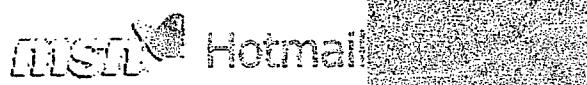
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From : michael fox <lfox449@hotmail.com>
Sent : Thursday, February 2, 2006 11:27 AM
To : charles.bard@cna.com
Subject : -----MY PICK FOR KNEE DOCTOR-----

HELLO CHARLES BARD

AGAIN I WENT TO THE POST OFFICE TO GET OTHER MAILINGS, AND I SEE YOU HAVE MAILED A LIST OF ORTHOPEDIC DOCTORS..I KEEP GOING TO THIS POST OFFICE BECAUSE LETTERS THAT WHERE MAIL ALMOST 2 WEEKS AGO HAVE NOT COME...AND I AM HANDED YOUR MAILINGS

BELLOW IS THE DOCTOR I HAVE CHOSEN..FOR MY KNEE

MIGUEL BERASTAIN
72121 S. PADRE ISLAND DR. #106
CORPUS CHRISTI TEXAS 78412
PH# 361-994 5151

I DO'NT UNDERSTAND WHY YOU CAN NOT SEND ME AN EMAIL. TELLING ME YOU HAVE MAILED ME LETTERS, SO I CAN BE CHECKING THE POST OFFICE...

ALSO--I HAVE OVER AND OVER REQUESTED THAT YOU SUPPLY ME WITH A DATE YOU RECIEVED THIS CASE, FROM ANA SALES..

AND WHAT YOUR STANCE IS ON THE MILAGE CHART...

I GUESS YOU ARE GOING TO AVOID MY REQUESTS..

AGAIN I ASK YOU TO RESPOND WITH EMAILS..PER YOU MAILING TO ME..

THANK YOU
MICHAEL FOX

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lfox449@hotmail.com

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From : michael fox <lfox449@hotmail.com>
Sent : Tuesday, February 7, 2006 7:48 PM
To : charles.bard@cna.com
Subject : —Doctors Apointments—

[|](#) | [|](#) | [X](#) | [Drafts](#) | [Inbox](#)**HELLO CHARLES BARD....**

I LEFT CORPUS CHRISTI FRIDAY FEBUARY 3 2006.
WENT TO GALVISTON TEXAS, THERE IS TO MUCH NONSENSE GOING ON IN CORPUS CHRISTI
TEXAS..FOR ME TO STAY ANYMORE...

WENT TO SLEEP FRIDAY NIGHT IN GALVISTON TEXAS, AND SOMEONE REAR-ENDDED THE VEHICAL
BEHIND ME, AND DROVE THAT VEHICAL INTO MINE..
ALMOST KILLED ME...
IF THE VEHICAL WOULD HAVE HIT THE DRIVERS SIDE REAR-END..YOU WOULD NEVER BE HEARING
FROM ME AGAIN..
IT HIT THE PASSAGER SIDE REAR-END, AND DROVE THE REAR HATCH COMPLETLEY IN, TAKING THE
PASSANGER SIDE OUT ALSO...
THEN DROVE MY VEHICAL INTO THE VEHICAL THAT WAS IN FRONT OF MINE...
DESTROYED MY MINI VAN COMPLETELY...

LOOKS LIKE NO MATTER WHERE I GO, THE NONSENSE IS RIGHT BEHIND ME...
AND I DO EVERYTHING TO AVOID IT...

BUT THE REASON I AM CONTACTING YOU NOW IS..
I DROVE BACK TO CORPUS CHRISTI TEXAS, TODAY, WHICH IS TUESDAY FEB 7 2006.. TO SEE IF
YOU HAD MAILED APPOINTMENTS, SCHEDULED WITH THE DOCTORS I CHOSE...BUT THERE WAS NO
REGISTER MAIL FROM YOU..

I HAVE ASKED YOU TO EMAIL ME WITH SOME KIND OF A RESPONSE DUE TO THE SITUATION I AM
IN...AND NOW ITS EVEN WORSE....

YOU CAN TAKE THIS EMAIL AS A MESSAGE, THAT I NO LONGER WANT MAIL SENT TO CORPUS
CHRISTI TEXAS...
TOMORROW I WILL GO ONE MORE TIME TO THE POST OFFICE, HERE IN CORPUS CHRISTI TEXAS, TO
SEE IF YOU HAD MAILED SCHEDULED DOCTORS APPOINTMENTS..

AND I ASK YOU AGAIN TO RESPOND BY EMAIL, I HAVE NO IDEA WHEN OR IF YOU ARE MAILING ME,
MAIL...AND I SENT YOU A COUPLE OF EMAILS REGARDING THE DOCTORS I PICKED FOR
TREATMENT...

IF I HEAR NOTHING FROM YOU WEDNESDAY OR THURSDAY BY EMAIL, I WILL TAKE IT THAT YOU ARE
NOT GOING TO ANSWER MY REQUEST..

WHY DON'T YOU HELP ME OUT, AND HONOR MY REQUEST..
I WILL KEEP THE DOCTORS I CHOSE IN CORPUS CHRISTI TEXAS, AND JUST DRIVE FROM WHERE EVER
I AM AT...
IF YOU CAN, TRY TO SCHEDULE ALL APPOINTMENTS THE SAME DAY, OR THE NEXT DAY, I CAN STAY
ONE NIGHT OVER....

THANK YOU
MICHAEL FOX

Exhibit 12-AA

Go

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your browser settings.



III. CONCLUDING REMARKS

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From : michael fox <lfox449@hotmail.com>
Sent : Tuesday, April 4, 2006 12:44 PM
To : charles.bard@cna.com
Subject : REQUESTING APPOINTMENTS TO SEE DOCTORS....

 | | X | Inbox

HELLO MR. CHARLES BARD....

THIS IS MICHEL FOX, REQUESTING DOCTORS FOR MY 2 OPEN CASES WITH CNA INSURANCE FROM WHEN I WAS INJURED WHILE WORKING WITH R J VAN MECHANICAL.

HURNIA CASE
KNEE INJURY CASE

I SPOKE WITH YOUR YOUR SECRETARY OR YOUR ASSISTANT, MARY YESTERDAY, AND SHE WOULD NOT HELP ME BECAUSE THERE IS A ATTORNEY LISTED ON YOUR COMPUTER WHICH IS REPRESENTING ME. ITS ALWAY SOME KIND OF NONSENSE WITH CNA INSURANCE TO FURTHER DRAD THINGS OUT AND TO PROVOKE YOU. AND IT NEVER ENDS, DOES IT CHARLES BARD...

JEROME SICO, THE ATTORNEY, HAS NOT REPRESENTED ME SINCE OCT. OF LAST YEAR. I BELIEVE...CALL HIM IF YOU SO DESIRE.

ANYWAYS, I REQUESTED DOCTORS FOR THE CORPUS CHRISTI TEXAS AREA, WHEN I WAS LIVING THERE, YOU WHERE GOING TO SET UP APPOINTMENTS WITH THESE DOCTORS I CHOSE..

I NEVER RECEIVED A EMAIL FROM YOU AS I REQUESTED, OR ANY LETTERS TO THE GENERAL DELIVERY ADDRESS THAT I GAVE YOU. REGARDING APPOINTMENT DATES.

I NEED TO SEE DOCTORS IN EITHER FLORIDA OR TEXAS, BEFORE MY ONE YEAR EXPIRATION DATE IS UP..

AND I'M SURE YOU ARE GOING TO AVOID ME FROM SEEING DOCTORS FROM
WITCH I HAVE BEEN REQUESTING FOR OVER 2 YEARS....

IF I HAVE TO COME BACK TO FLORIDA AND SEE DOCTORS, DOCTOR KARLA WHICH PREFORMED MY HURNIA OPPERATION IS GOING OUT ON A DOCTORS SEMINAR, AND I CAN NOT SEE HIM IN TIME, THE DOCTOR I ORIGINAL CHOSE WAS DOCTOR BACON IN THE SAME OFFICE, BUT SOME HOW I WAS GIVIN TO DOCTOR KARLA.

I AM REQUESTING TO SEE DOCTOR BACON AS HE IS ON CNA LIST OF DOCTORS, AS I HAVE SPOKEN WITH KIM AT DOCTOR KARLA'S OFFICES YESTERDAY, AND SHE SAID THAT WOULD BE OK. BUT I NEED ATTORIZATION TO SEE DOCTOR BACON THROUGH CNA INSURANCE.. SO I AM REQUESTING THIS.

The page can

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problems or your browser settings.

Please try the following:

- Click the  Refresh button.
- If you typed the page address incorrectly, then click Internet Options. The settings tab is Local Area Network (LAN). Under LAN settings, click the radio button for "Use local area network (ISP) provider (ISP)".
- To check your connection, then click Internet Options. The settings tab is Local Area Network (LAN). Under LAN settings, click the radio button for "Use local area network (ISP) provider (ISP)".
- See if your Internet connection is working correctly. You can set Microsoft Internet Explorer to automatically discover network administrators.
 1. Click the Tools menu.
 2. On the Connection tab, click Options.
 3. Select Automatic Logon and click OK.
- Some sites require 128-bit encryption. To enable 128-bit encryption, click the Tools menu and then click Internet Options. The settings tab is Security. Under Security settings can be changed, click the radio button for "Use strong security (HTTPS)" and click OK.
- If you are trying to connect to a secure site, but the Security settings can't be changed, then click Internet Options. The settings tab is Security. Under Security settings can be changed, click the radio button for "Use strong security (TLS 1.0, PCT 1.0)." Then click OK.
- Click the  Back button.

12-A Exhibit

AS FOR MY KNEE INJURY, DOCTOR FURMAN IS NO LONGER ACCEPTING WORKERS COMP CASES.

I SPOKE WITH DAWN AT DOCTOR FURMANS OFFICE, AND SHE WAS GOING TO SEE IF DOCTOR FURMAN WOULD SEE ME. I NEED AUTHORIZATION FROM YOU ON THIS ALSO..

IF DOCTOR FURMAN WILL NOT SEE ME, I AM REQUESTING TO SEE THE FIRST DOCTOR THAT I SEEN, WHICH PERFORMED THE SURGERY ON MY KNEE.

HE IS DOCTOR JOHN KAGAN IN FORT MEYERS FLORDA
I NEED THESE APPOINTMENTS BEFORE APRIL 14 2006.

IF YOU CAN THOUGH, I WOULD RATHER SEE DOCTORS IN CORPUS CHRISTI TEXAS, THAT I CHOSE MONTHS AGO. IN WHICH I NEVER RECEIVED APPOINTMENT DATES FOR..

I AM COMING FROM THE PACIFIC COAST IN CALIFORNIA, AND IT WOULD BE CLOSER TO GO TO TEXAS THAN FLORDIA...

I AM AGAIN REQUESTING YOU TO RESPOND BY EMAIL, AS I HAVE NO PHONE, AND I CURRENTLY HAVE NO MAILING ADDRESS DUE TO MY LIVING CONDITIONS....

HOPE TO GET THIS RESOLVED, BUT I AM SURE IT WILL NOT, DUE TO CNA INSURANCE PAST HISTORY IN MY CASES...

SINCERELY
MICHAEL FOX

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From : michael fox <lfox449@hotmail.com>

Sent : Thursday, April 6, 2006 12:37 AM

To : charles.bard@cna.com

Subject : ANOTHER REQUEST FOR DOCTOR APPOINT CONFIRMATION FROM CNA
INSURANCE--CHARLES BARD

HELLO MR. CHARLES BARD

MICHAEL FOX HERE AGAIN FOR A FOLLOW UP...

I HAVE APPOINTMENTS IN FLORIDA AT DR JOHN KAGANS OFFICE FOR MY KNEE.
HE IS THE 1ST DOCTOR, AND THE DOCTOR WHO PREFORMED THE SURGERY ON MY KNEE, AUTHORIZED
THROUGH CNA INSURANCE..

AND A FURTHER CHECK UP ALSO FOR MY HURNIA AT DR. BIRCH'ES OFFICE..
THIS IS ALSO, DOCTOR KARLA'S OFFICE, DOCTOR KARLA IS THE DOCTOR WHO OPERATED ON ME,
WHICH WAS APPROVED THROUGH CNA INSURANCE...

I HAVE BEEN TOLD BY BOTH OFFICE MANAGERS THAT THEY HAVE CONTACTED YOU FOR APPROVAL FOR
OFFICE VISITS, AND YOU HAVE NOT RESPONDED..

I WOULD LIKE YOU TO APPROVE BOTH OF THESE APPONTMENTS..

YOU PROBABLY WILL NOT RESPOND TO THIS EMAIL SINCE YOU HAVE FROM THE BEGINNING MY
EMAILINGS...

YOU MUST REALLY UNDERSTAND NOW WHY I WAS SO PISSED OFF, AND THE IRATE MESSAGE I LEFT ON
YOUR ANSWERING SERVICE ON MONDAY APRIL 3 2006...AFTER YOUR RUDE ASSISTANT MARYS REMARKS
AND LACK OF COOPERATION, AND THE CONTINUING LIES ABOUT BEING REPRESENTED BY AN
ATTORNEY....

I CAN NEVER GET ANYWHERE WITH YOUR CNA INSURANCE TACTICS...
AND HOW EVERYTHING IS BATTLE TRYING TO GET DOCTORS APPOINTMENTS...
WHY IS THIS..?

I AM SURE YOU WILL NOT RESPOND TO THIS EMAIL EITHER..
BUT AGAIN..

I WOULD LIKE YOU TO RESPOND, THAT YOU ARE EITHER REFUSING, OR APPROVING THESE DOCTORS
APPOINTMENTS FOR PAYMENT...

BOTH APPOINTMENTS ARE FOR APRIL 11 2006
PLEASE APPROVE THESE APPOINTMENTS...

SINCERELY
MICHAEL FOX

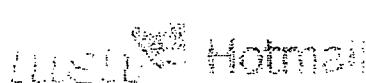
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Exhibit 12-C

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Today

Sent

Categories

Contacts

Hotmail.com

From : michael fox <fox449@hotmail.com>

Sent : Thursday, April 6, 2006 1:04 AM

To : charles.bard@cna.com

Subject : A MISTAKE IN DOCTORS NAME----- FOR MICHAEL FOX

HELLO MR. CHARLES BARD

DO'NT MEAN TO CONTINUE ON BOTHERING YOU.
BUT I RE-READ THE 1ST EMAIL I SENT YOU ON APRIL 4 2006

THE CORRECTION IS-ON MY HURNIA

I WENT TO HAVE MY APPOINTMENT WITH DR.BACON BUT HE RETIRED, SO I CHOSE DOCTOR BIRCH THEN, WHEN I WENT IN FOR THE EXAMINATION, DOCTOR BIRCH COULD NOT SEE ME, AND I WAS GIVEN TO DOCTOR KARLA FOR MY EXAMINATION, AND DOCTOR KARLA PREFORMED THE SURGERY, ALL 3 OF THESE DOCTORS ARE ON CNA'S INSURANCE FOR APPROVED DOCTORS...AND THEY ALL WORK OUT OF THE SAME OFFICE....

AS I STATED BEFORE, DOCTOR KARLA IS GOING OUT OF TOWN AND I CAN NOT SEE HIM IN TIME, BEFORE MY 1 YEAR IS UP FOR KEEPING MY CASE OPEN, SO I AM GOING IN TO SEE DOCTOR BIRCH.

AND AGAIN I NEED THIS APPROVALTHROUGH YOU FOR PAYMENT FOR THE DOCTOR...AND ALSO FOR THE KNEE DOCTOR, WHICH IS DOCTOR KAGAN...

PLEASE RESPOND WITH YOUR DECISION, AS I HAVE NO PHONE OR ADDRESS, AND CAN ONLY BE REACH THROUGH EMAILS...

SINCERELY
MICHAEL FOX

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